

Message Text

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ACTION ARA-10

INFO OCT-01 ISO-00 ARAE-00 DHA-02 ORM-02 SCS-03 SCA-01

IO-13 CIAE-00 DODE-00 PM-04 H-01 INR-07 L-03 NSAE-00

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P 281356Z JAN 77

FM AMEMBASSY MANAGUA

TO SECSTATE WASHDC PRIORITY 2151

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E.O. 11652: N/A

TAGS: SHUM, US, NU

SUBJECT: REPORTED HUMAN RIGHTS ABUSES

REF: (A) STATE 17994, (B) MANAGUA 248

SUMMARY: THE WOLA SUPPLIED REPORTS ARE FSLN/FER PROPAGANDA WHICH LACK SUBSTANCE. THE DEAD ARE ALIVE. THE PRISONERS IN SOLITARY CONFINEMENT ARE MATING AND REPRODUCING. THE HUNGER STRIKERS SHOW NO SYMPTOMS OF STARVATION. THE DEPARTMENT SHOULD REASSESS ITS POLICY OF GIVING PRIORITY ATTENTION TO THIS TYPE OF REPORT. END SUMMARY

1. REPORTS FURNISHED BY WOLA OF HUMAN RIGHTS VIOLATIONS IN NICARAGUA CITED IN REFTEL A ARE NOTHING MORE THAN FSLN/FER PROPAGANDA EFFORTS DESIGNED TO PLACE GON ON THE DEFENSIVE. THEY ARE REPORTS OF WHICH EMB WAS AWARE, BUT BECAUSE THEY LACKED SUBSTANCE, HAD NOT REPORTED. WHILE EMB IS CONTINUOUSLY ENGAGED IN OBTAINING INFORMATION RE HUMAN RIGHTS SITUATION AND REPORTING ANYTHING WHICH MAY CONSTITUTE AREAS OF CONCERN, WE ARE NOT ATTEMPTING TO SUPPLEMENT THE EFFORTS OF THE GON TO ANSWER BASELESS PROPAGANDA CHARGES OF HUMAN RIGHTS VIOLATIONS. TO DO SO WOULD INVOLVE A CONTINUOUS SERIES OF MESSAGES REPORTING THE LATEST RUMORS AND CHARGES EMANATING FROM SOURCES WHOSE PURPOSE IS NOT PROMOTING RESPECT FOR HUMAN RIGHTS BUT RATHER EMBARRASSMENT AND WEAKENING OF THE GON.

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2. WITH REGARD TO SPECIFIC CHARGES REFTEL A, FSLN INDICTEES NUNEZ AND MARTINEZ WERE REPORTED BY RADIO HAVANA ON JAN. 20 TO HAVE DIED FROM HUNGER STRIKE. THIS REPORTED WAS REPRODUCED IN NOVEDADES OF JAN.

22 ALONG WITH PHOTOS OF BOTH PERSONS TAKEN DURING THEIR APPEARANCE BEFORE WAR COUNCIL ON JAN. 21, THE DAY AFTER THEIR DEATHS WERE RE-

PORTED. NOVEDADES USED LITERARY ALLUSION TO ANSWER RADIO HAVANA: "LOS MUERTOS QUE VOS MATAIS, GOZAN DE BUENA SALUD". IN GENERAL, FSLN INDICTEES HAVE REGULAR ACCESS TO MEDICAL ATTENTION AND HAVE BEEN GRANTED ACCESS TO SEPCIALIST ATTENTION FROM TIME TO TIME WHEN REQUESTED.

3. FSLN INDICTEES CLAIM TO HAVE BEEN ON HUNGER STRIKE SINCE DECEMBER. GON STATES SO-CALLED HUNGER STRIKE HAS NOT INTERFERED WITH INDICTEES NORMAL EATING HABITS WHICH INCLUDE SUPPLEMENTAL FOOD WHICH GAMILY MEMBERS ARE ALLOWED TO GIVE THE INDICTEES ON REGULAR BASIS. EMB, ALTHOUGH NOT IN DIRECT CONTACT WITH FSLN INDICTEES, HAS RECEIVED NO INDICATION THAT THEY ARE SUFFERING FROM PURPORTED HUNGER STRIKE.

4. ONLY BORGE AND ONE OTHER INDICTEE ARE HELD IN SOLITARY CONFINEMENT AS A RESULT OF GON PERCEPTION THAT THEY WARRANT SPECIAL SECURITY PRECAUTIONS. UNTIL NOV. BORGE WAS REPORTEDLY CONTINUOUSLY HANDCUFFED. AT THAT TIME, ON PLEA OF HIS LAWYER, HANDCUFFS WERE REMOVED AS EVIDENCED BY NEWSPAPER PICTURES TAKEN DURING COURT PROCEEDINGS. THAT OTHER PRISONERS ARE NEITHER HANDCUFFED NOR HELD IN SOLITARY CONFINEMENT IS EVIDENCED NOT ONLY BY PHOTOGRAPHS OF PRISONERS DURING PUBLIC COURT PROCEDURES BUT ALSO BY DISCIPLINARY PROBLEM WHICH HAS RESULTED FROM INTERNAL FIGHTING AMONG INDICTEES WHILE INCAR

- CERATED. THERE HAS BEEN A SEPARATION OF MALE AND FEMALE INDICTEES IN RESPONSE TO PROBLEM OF SEVERAL FEMALE INDICTEES BECOMING PREGNANT DURING MIXED INCARCERATION. GON HAS ALLOWED PREGNANT WOMEN TO MARRY THEIR FIANCES, THE MOST RECENT CASE BEING TWO WEEKS AGO.

5. EMB HAS RECEIVED NO REPORTS OF HOODING FSLN INDICTEES. THEY HAVE LIMITED OFFICIAL USE

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HAD AMPLE OPPORTUNITY DURING COURT APPEARANCES TO VOICE DIRECTLY OR THROUGH THEIR LAWYERS NUMEROUS COMPLAINTS ABOUT PAST AND PRESENT TREATMENT, BUT THIS CHARGE HAS NOT BEEN AIRED. WOLA MAY BE CITING ALLEGATIONS OF HOODING OF SUSPECTS DURING INTERROGATION PRIOR TO THEIR RELEASE OR INDICTMENT, A PRACTICE WHICH THE EMB BELIEVES DOES OCCUR AND WHICH IT HAS REPORTED (SEE OUR DEC. 1976 REPORT ON HIMAN RIGHTS).

6. FER HAS ORGANIZED VARIOUS DEMONSTRATIONS OF SOLIDARITY WITH FSLN INDICTEES. MOST RECENT WAS OCCUPATION ON JAN. 21 OF BASIC SCIENCES BUILDING OF NATIONAL UNIVERSITY (UNAN) IN LEON AND DECLARATION OF SOLIDARITY HUNGER STRIKE WHICH WE UNDERSTAND HAS ALREADY ENDED. A HANDFUL OF STUDENTS AND PROFESSORS AT THE MANAGUA UNAN CAMPUS PROFESS TO BE ALSO ON A SYMPATHY HUNGER STRIKE. HOWEVER, THEIR COLLEAGUES STATE THAT THEY SHOW NO ILL EFFECTS, AND IT IS WIDELY SUSPECTED THAT THEY ARE NOT OBSERVING THE FAST. NEITHER THE RECTOR, VICE-RECTOR NOR ANY OF THE DEANS ARE PARTICIPANTS.

7. EMB BELIEVES INFORMATION RE OTHER DETAINEES CITED IN REFTTEL B

(THE BARREDA CASE) IS UP TO DATE.

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8. EMB HAS NOT RAISED AND SEES NO PURPOSE IN RAISING WITH GON ALLEGATIONS RE HUMAN RIGHTS VIOLATIONS WHICH APPEAR TO CLEARLY LACK ANY BASIS AND BELIEVES TO RAISE SUCH REPORTS WOULD WEAKEN EMB DEMARCHES OVER AREAS OF REAL CONCERN. HOWEVER, IF DEPT. BELIVES IT WOULD BE WORTHWHILE TO KEEP GON AWARE OF CURRENT ANTI-GON CHARGES CIRCULATING IN U.S., DEPT. MIGHT CONSIDER SUGGESTING TO WOLA THAT IT INITIATE DIALOG WITH NICARAGUAN EMBASSY IN WASHINGTON. NOT ONLY MIGHT GON THUS OBTAIN A NEW SOURCE OF INFORMATION (OTHER THAN LOCAL RUMORS AND RADIO HAVANA) OF PROPAGANDA DIRECTED AGAINST IT, BUT IT MIGHT ALSO LESSEN OUR BEING FORCED INTO THE UNCOMFORTABLE ROLE OF HAVING TO SET THE RECORD STRAIGHT FOR THE GON. EMB HAS FOUND GON IS CAREFUL TO AVOID PUBLIC STATEMENTS WHICH CAN BE SHOWN TO BE FALSE. THUS OVER A PERIOD OF TIME WOLA MIGHT EVEN FIND RESPONSES OF NICARAGUAN EMB TO ITS CONCERNS TO BE RELIABLE.

9. EMB APPRECIATES THE FACT THAT DEPT. DOES NOT WANT TO BE CAUGHT UNAWARE OF CHARGES OF HUMAN RIGHTS VIOLATIONS WHICH MIGHT BE AILED IN CONGRESSIONAL HEARINGS. HOWEVER, RATHER THAN GIVING PRIORITY ATTENTION TO PROPAGANDA CHARGES FROM ORGANIZATIONS SUCH AS WOLA WHICH PLACE US IN THE POSITION OF BEING AN INVESTIGATIVE ARM FOR THOSE ORGANIZATION, EMB URGES CONSIDERATION OF FOLLOWING ALTERNATIVES WHICH ARE NOT MUTUALLY EXCLUSIVE: (A) CONFRONT WOLA ET AL. WITH THE FACT THAT, LIKE THE BOY WHO CRIED WOLF, DEPT. WILL TURN A DEAF EAR ON THEIR CRIES OF CONCERN UNLESS THEY FIND A WAY TO USE THEIR INFORMATION.

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MATION CHANNELS TO SEPARATE FACT FROM FICTION; (B) URGE ON CONGRESS THAT IT DISCONTINUE SETTING ITSELF UP AS AN INVESTIGATIVE AGENCY FOR ORGANIZATIONS SUCH AS WOLA BECAUSE THEY LACK CREDIBILITY; (C) ATTEMPT TO HAVE WOLA ET AL., AND CONGRESS CHANNEL THEIR CONCERNS TO THE IAHRM WHICH COULD THEN MAKE PERIODIC INVESTIGATIONS AND ISSUE REPORTS. U.S. POLICY COULD THEN BE BASED UPON THE IAHRM REPORTS OR THE FACT THAT GOVERNMENTS HAVE REFUSED TO ALLOW THE INVESTIGATIONS. EMB STRONGLY BELIEVES THAT ONLY WHEN A COHERENT FRAMEWORK IS DEVELOPED FOR RECEIVING AND ANALYZING REPORTS OF HUMAN RIGHTS VIOLATIONS WILL THE U.S. BE ABLE TO ACHIEVE ITS FOREIGN POLICY OBJECTIVE OF PROMOTING UNIVERSAL RESPECT FOR FUNDAMENTAL HUMAN RIGHTS. TO BECOME ENTANGLED IN THE WEB OF POLITICALLY MOTIVATED PROPAGANDA ATTACKS CAST IN THE GUISE OF CONCERN FOR HUMAN RIGHTS CAN ONLY DETRACT FROM THAT OBJECTIVE.

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